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SWORN STATEMENT OF CIRCULATION. State of Nebraska, 188 te of Nebraska. County of Douglas. 88. corge R. Tzschuck, secretary of The Bec George R. Tzschuck, secretary of The Bec Publishing Company, does solemnly swear that the actual circulation of Tup Datry Bez for the week ending May 10, 1890, was as fol-Tuesday, May 6 Wednesday, May 7. Thursday, May 8 Friday, May 9

Average......GEORGE B. TZSCHUCK. 20.072 Sworn to before me and subscribed to in my presence this 10th day of May, A. D. 1899. [Seal.] Notary Public. scribed to in my

20.028

Saturday, May 10 ...

State of Nebraska,
County of Douglas | 585.
George B. Tzschuck, being duly sworn, deposes and says that he is secretary of The Bee Publishing Company, that the actual average daily circulation of The Dany Bre for the month of May 1899, 1899 copies; for June, 1889, 18,538 copies; for June, 1889, 18,738 copies; for June, 1890, 18,730 copies; for October, 1880, 18,307 copies; for November, 1880, 19,340 copies; for December, 1880, 29,548 copies; for January, 1890, 19,558 copies; for February, for January, 1806, 19,555 copies; for February, 1800, 19,561 copies; for March, 1800, 29,815 copies; for April, 1800, 25,564 copies. George B. Tzschuck.

Sworn to before me and subscribed in my presence this 3d day of May, A. D., 1800.

[Seal.] N. P. Feir, Notary Public.

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THE corking of the army canteen, as prepared by the senate, is a piece of petty legislation. It will serve to revive the demoralizing joints around army posts, which were driven out of existence by the canteen.

In view of the threatened corner in silver, the discovery of a new vein in northern Nebraska is of national importance. Who knows but that the canyous of the Minnecadusa will yet solve the monetary problem.

THE declaration of a Kansas court that men cannot be coerced into giving testimony in liquor cases will seriously reduce the profits of the spies and detectives. Heretofore a good nose and an indifferent conscience were worth a fortune down in Kansas.

CONGRESSMAN ANDERSON of Kansas stands alone as a bright example of western independence on the tariff bill. While all other western members skulked in the cloak rooms or deliberately ignored the demands of their constituency, he stood out in strong relief for western interests against eastern trusts and combines.

THE arrest of twenty-five moonshiners in Kentucky just as the senatorial campaign is at its height will have a de pressing effect on the bourbon patriots at Frankfort, unless the legitimate distillers promptly increase their capacity. A blue grass campaign without the usual quantity of mountain dew is as desolate and lifeless as the alkali plains at noontide

THE Tammany braves of Chicago are Out on a wild hunt for the scalps of the recreant chiefs. Unlike their brethren in Omaha, they did not cajole the public with the pretense that they would purify the local political atmosphere and prevent the use of money in elections. On the contrary, they went to work to raise more than six hundred dollars, and when the wampum reached a tempting roll, the treasurer placed four thousand where it would most benefit hi mself. The Chicago braves should journey to Omaha and secure a few valuable pointers from the immaculate Twenty-eighters.

CLEVELAND pays his respects to the farmers in a letter in which he endorses the principles of the alliance and pleads for reform. Even at this late day, it is interesting to note the deference shown the farmers by the ex-president. They smote him with such unanimity two Years ago that he has not forgotten the force of the blow. In view of recent events, however, the ex-president cannot expect the public to accept the letter as genuine. It should be followed by an attested certificate, "not necessarily for publication, but as a guaranty of good

THE officials charged with the duty of enforcing the law against importing contract labor and the Chinese exclusion act are almost helpless through lack of means to carry on the work. With the exception of a few seaboard cities, there is no systematic effort to check the importation of undesirable immigrants. Assistant Secretary Tichenor, in a letter to the house committee on appropriations, calls attention to the fact that while the law prohibits the landing of convicts, lunatics, idiots and paupers who come by steamers, it is utterly insufficient to meet the case of immigrants of like character who may enter the country by land from contiguous ter-

THE removal of the Pine Ridge agency from Nebraska is again being agitated in the Indian office. So far as the interests of the Indians and the government are concerned, the proposed change would be a damage instead of a benefit. The abandonment of the agency buildings, schools and churches, and the prection of new buildings at another point, would involve a large outlay of government money. But the agitators are indifferent to the welfare of the Indians as well as to the expense involved, as long as they can secure government assistance in boosting a real estate speculation. That is the sole object of the agitation.

PROMISED RELIEF.

The state board of transportation has instructed its secretaries to compile a schedule of freight rates for Nebraska railroads, based on the actual cost of the roads. Under these instructions the secretaries are to make their report at the next regular session of the board on June 4. The board has also adopted resolutions inviting shippers and patrons of the railroads, as well as other citizens who feel aggrieved over the present rates, to appear before the board on the twenty-first of this month with a formal presentation of their complaints.

The manifest intent of the board of transportation is to revise existing freight schedules and make such reductions as will still leave the roads a fair margin on their investments. This paper has never favored the creation of a railroad commission or a state board of transportation, chiefly because it never believed that such a board could be depended on by the people to prevent discrimination and extortion by public carriers. We always have advocated regulation by the leg-Islature, and still prefer direct legislation to supervision and regulation by a board of commissioners. But we are always ready to commend any effort. by whomsoever made, that promises to give the people Nebraska relief from excessive rates. Whatever may be the motive of the state board in its proposed revision of schedules, a reduction of rates will be acceptable. Even the ten per cent reduction on the corn rate made by the railroad managers as sop to the exasperated farmers has been of some advantage, in spite of the pre-Sictions that a reduction of freights would bring about a decline in the price of corn. While the people of the state at large have lost faith in the board of transportation, by reason of its failure to take decisive action, the promised revision and reduction of rates cannot fall to meet with popular approval.

THE SENATE AND PENSIONS.

A Washington dispatch to the Chicago Tribune says that pension legislation has reached the point where the veterans will have to take a sober second thought and decide whether they want the dependent bill or no legislation at all. The senate committee has been giving careful consideration to the limited service measure which was passed by the house as a substitute for the senate dependent bill. In its original shape, with sixty-two years as the age limit, it was estimated that the house bill would take thirty-nine million dollars a year. The age limit was reduced to sixty years and one or two other modifications made, which increased the estimate of cost to fifty million dollars a year; with the possibility of its being double that

amount. In view of this the measure is understood to have received little favor in the senate committee, and it is expected to present an unfavorable report on the house bill and insist on the senate measure. In that event, unless the house recedes, there will be no pension legislation. The senate republicans maintain that the dependent bill meets the pledges of the party, and that it is all that can reasonably be asked of congress under present conditions. A number of republicans in the house take the same view.

Viewing the matter from a practical standpoint it is obvious that the government cannot afford to assume additional pension obligation, granting it will be no larger than the lowest estimate, which the house service bill would impose. Even without any new pension legislation it is believed that there will be a deficit for the next fiscal year unless there is a material reduction in appropriations now proposed, and as to a large part of these it is not probable they will be reduced. Careful estimates by republican members of congress place the probable excess of expenditures over receipts for the next fiscal year at over seventy million dollars, and in this is not included the addition which it is estimated would be made to the demands upon the government by the house service pension bill. With that the deficit would very likely reach not far from one hundred million dollars. The almost uniform rule is that estimates of the cost of pension legislation are too low, and there is no reason to doubt that this is the case with the bill

passed by the house. It will be fortunate for the country if the senate shall take a firm standagainst the action of the house, and refuse to permit the pension attorneys and the three months men to dictate a policy that would bankrupt the treasury. There is no objection to the dependent pension bill passed by the senate. It is a just measure, and whatever addition to the pension disbursements of the government it may involve will be cheerfully borne by the people. But the service pension oill of the house is not demanded by any consideration of justice to the old soldiers and would create a burden which the government cannot at this time

wisely or safely assume.

AN HONEST CENSUS. Mr. Robert P. Porter, superintendent of the eleventh census, is determined that the work to be done under him shall be honestly performed. There could be no better assurance of this than the order just issued by him to all supervisors of the census regarding the statement that certain city councils and boards of trade had appropriated sums of money to aid their supervisors in the enumeration of the population. Mr. Porter saw in this a purpose influence the census takers to swell their returns, or to put it more plainly, to make fraudulent reports of population, and he accordingly notified the supervisors that such contributions must not be received by them. He very properly says that if this sort of thing were tolerated by the bureau it would have a tendency to bring the whole census into disrepute, and he declares that the eleventh census must and shall be above suspicion. "To telerate any action," says the superintendent, "on the part of

municipalities, associations, organiza-

tions or individuals, no matter how pow-

erful they may be, which has for its pur-

pose the debauching, or which would

even throw the slightest taint upon the

truthfulness of the returns, would, in my

opinion, be nothing short of a crime against the people of the United States." This position of the superintendent of census has been approved by the secre-

tary of the interior. When Mr. Porter was appointed to superintend the census there was a great deal of unfavorable comment applying not only to his qualifications but to his integrity. It was urged that because he was an earnest advocate of the policy of protection he would disturb and pervert facts in the interest of that policy, while it was questioned whether he possessed the capacity, having had no experience in work of this nature, to discharge satisfactorily the difficult task. As to the latter all doubts have been removed by the very thorough manner in which the organization for the work has been effected and every detail provided for. It is admitted that never before has the census work been arranged upon a more practical basis, with every provision made for promptly and efficiently carrying out the requirements of the law. It is true that the eleventh census will not take so wide a range as was given to the ninth and tenth. Experience had shown that it was desirable to reduce the number of subjects to be investigated and to give greater attention to those of most direct interest to the people, that the value of the facts obtained would not be lost by a delay of years in giving them to the public. The ast census was especially overburdened by a mass of matter that became worthless, or nearly so, because it was not available for years after it was obtained. In providing for the eleventh census the late S. S. Cox, who framed the bill, included only those subjects of leading importance, and while congress enlarged somewhat the investigation proposed, it will still considerably reduced from that of the last census. But making every allowance for this difference, Mr. Porter has shown superior qualifications for the practical requirements of the work, and there is every reason to expect that the country will be in possession of the information obtained in one: third of the time occupied in publishing the returns of previous censuses. It is also highly probable that the eleventh census will be the most thorough and accurate taken since the foundation of the government, and that it will in all respects be an honest and trustworthy presentation of the condition of the country. Mr. Porter has thus far shown that he is the right man in the right

THERE are a great many, very absurd conclusions drawn from the supreme court decision in the "original package" case. It is assumed by some to be a most serious impairment of the sovereignty of the states, when it is absolutely nothing of the kind, there being really no new principle announced. But the most ridiculous deduction from the decision is that under it the sale of obscene publications and obscene literature cannot be prollibited by a state. This would be the case if it could be shown that such publications are legitimate articles of commerce, but no one will contend for a moment that they are. The intelligent judgment of the country will not be swaved from its approval of the decision, the soundness of which becomes clearer the more carefully it is studied, by such absurd efforts to bring it into discredit by a perversion of its

TRIVIAL objections and technicalities should not be permitted to delay the trial of the issue raised by the Helfensteins. Scores of property owners are involved, and it is of the utmost importance that the St. Louis claim jumpers be compelled to establish their pretended rights at once. Delays work an injustice to the home builders who have invested their means in the property. They are ready for the issue and the courts should ignore petty objections and compel the mercenary title clouders to proceed with the trial or quash the complaint.

THE scheming combine in the council should not be permitted to dictate the man who will have practical charge of public works for the ensuing three years. The interest of the taxpayers demands a man with sufficient backbone to enforce the contracts of the city to the letter and give property owners an honest equivalant for their assessments.

THE interests of property owners on treets to be graded this year demand that the council expedite action on the grading ordinances. Many building improvements depend on the early completion of the grades, and the council should do its part in pushing the work.

AS USUAL, prohibition in the Dakotas has increased business in the internal revenue office in Omaha. The boot-leggers and "speak easies" are making their peace with Uncle Sam before beginning active operations.

For the first four months of the year the Union Pacific cleared nine hundred thousands dollars more than for the same period last year. The figures indicate that the volume of western business is steadily increasing.

THE sale of the Millard hotel lot goes to show that Omaha property possesses unequalled attractions for the conserva-On WITH public works in all depart-

ments. Every branch ought to be in active operation within two weeks.

> Silent About Dana's Favorite. Buffalo Commercial

The democratic press of the state are discreetly silent concerning the New York Sun's nomination of David B. Hill as the democratic presidential candidate in 1892.

Emin's Ingratitude.

Emin Pasha, after being rescued at so much langer and expense, is now cruel enough to inform his captors that "he could not assent to Stanley's desire to exhibit him in Europe like a rare animal." What base ingratitude!

A Decision that Decides.

Kansas City Times. The first case of liquor seiling in Iowa that has entered court since the "ofiginal package" decision was dismissed yesterday by the judge, the prosecuting attorney assenting. Except in some Kansas newspaper offices

there seems to be a general belief that a supreme court decision is good law.

Only Dudes and Dudines. Minneapolis Tribune A scientist estimates that the human race will disappear from the earth about the year

4000. What a funny world this will be then, with nothing but dudes and dudines left to boss the animals around. A Boon to Maineites.

Profes Transcript.
Since the recent decision of the United States supreme court it won't be necessary to send so much ligher into Maine for mechanical purposes as heretofore. It can go in original packages for original purposes. STATE JOTTINGS. Nebraska. An A. O. U. W. lodge is to be organized at Harkington

The Butler county jail is a popular stopping The Catholics of Barneston have decided to build a \$2,000 church Crops in the vicinity of Tobias were badly damaged by hall Monday.

The residence of A. Hermson near Brainard vas destroyed by fire Sunday. A barn at Madison was struck by lightning nd entirely destroyed Monday. Lightning struck the new Methodist church

at David City, but did little damage. The Frontier county Sunday school conven tion will meet at Curtis May 23 and 23. The Fairfield building and loan association as incorporated with a capital stock of \$100,

The postmaster at Wilson, Colfax county, has sent in his resignation and the office wi probably be abandoned. Carl Carlson of Chadron died recently in

Chicago while undergoing an operation for the removal of a cancer. A company has been organized in Wilson precinct, Colfax county, with a capital of \$5,000, to build a cheese factory.

Seventy sheep belonging to I. Pugh, farmer near Hebron, were bitten by a ma dog and twelve of them have since died of Two Auburn women who had deserted

their families were captured with their para-

mours at Falls City and all were taken back to Nemaha county in charge of an officer. Says the Valparaiso Tribune: More corn has been listed this spring than ever before it the history of this locality. The reason is that the corn crop suffered severely last year from the ravages of cut worms, and listing is claimed as a preventative because it puts the eed deeper in the ground than can be done

with a planter. The other day a Sionx Indian walked up and street with a long-tailed coat on, gloves and gold headed cane, etc., and put on agony in great shape, says the Gordon Re-publican. We just laid up our silk plug. scrubbed the blacking off our shoes, took off our necktie, gave him the field and concluded that we were no longer in town. We did not ask him whether he would prefer being presi-dent of the United States or governor of Nebraska, but we suppose he will be around be-

Iowa Items.

The Congregationalists of Chapin are build-A company is being formed to build a \$15,

000 hotel at Audubon. The Mitchell county creamery owners have

organized a county association Four electric light companies want to supoly Webster City with a plant, Wilton will vote on May 26 on the question

f bonding the town for \$6,000 for a system of water works. Calhoun county has sold \$30,000 of drainage bonds at a premium of \$520. They draw per cent interest. The Illinois Central is to erect a handsome

new depot at Winthrop on the site of the one recently destroyed by fire. The Davidson corner in Sloux City was sold st week for \$5,000, the highest price ever paid for realty in that city.

The Iowa State Sportsmen's associationwill hold a four day's shooting tournament at Davenport, commencing June 10. A stock company has been formed at Cres-on to erect a \$100,000 hotel to be named the Hotel Potter, in honor of the late T. J. Pot-

Dr. De Pondiom, who was arrested at Iowa City on a charge of libel preferred Rev. Father Emonds, forfeited his bail and has gone to Chicago.

Edwards, the man who bit Representative Shipley's ear off last fall, was tried at Guth-rie Center the other day and found guilty of assault and battery.

Joseph Hink, a laborer, twhile intoxicated. made a desperate attempt to take his own life at Iowa City. He fired three shots from a revolver into his body, perforating both lungs, but the doctors think he may recover. George L. Moore, sentenced to Anamosa for two years from Winneshiek county for seduction, and Clarke, the old man sentenced to one year from Boone county for keeping a house of prostitution, have been pardoned by Governor Boies. These are the first pardons issued by the governor.

The Two Dakotas. A dentist is badly needed at Miller. Flandrau wants a waterworks system. Yankton society people have been seized

with the Delsarte craze. The secret societies of Clark will unite in ouilding a hall for society purposes. There are twenty-five Sunday schools in Charles Mix county with 1,200 scholars.

The Moody county alliances will form a anty organization at Flandrau June 7 None of the Yankton druggists have yet made application for permits to handle liquor. Judge Williams has received his con on as receiver of the land office at Yankton and will assume his duties next week. So far this season the auditor of LaMoure

county has paid bounties on 28,000 gophe tails, which at three cents per tail represents the neat sum of \$840, Colonel Thompson of Bismarck lost a valuable stallion some time ago, and after a week's search found the animal imprisoned in an old well twelve feet deep. When rescued the animal was found to be unin-

ured, but was suffering terribly from hunger According to the Napoleon Homestead copher hunting could be made a very profitable business in North Dakota. counties bounties are paid on talls, in others on ears, and in some of the "way back" counties nothing less than legs will be taken as evidence of the sure death of the little pests. Thus in Logan county tails bring 3 cents, while in McIntosh cars are quoted at 2

cents. Dickey county gives up 3 cents for four making an aggregate of 8 cents in bounties for one gopher. There is no neces-sity for a boy going without circus money in North Dakota, DECLARED UNCONSTITUTIONAL.

Another Portion of the Kansas Prohibitory Law Proves Defective. LEAVENWORTH, Kan., May 13 .- Judge Cro-

der of this, the First judicial district of Kansas, has declared part of the state prohibitory law unconstitutional. The decision was rendered in a case where assistant attorney general of the state for this county summoned the street commissioner and others to give inthe street commissioner and others to give in-formation under oath as to violations of the prohibitory law. They refused to give testi-mony and the atterney general had them committed to jail for contempt. Habeas corpus proceedings to secure their release were begun before Judge Crozier, who handed down a long decision ordering their discharge from cushely and declaring uncon-stitutional the provisions of the law con-ferring power upon the attorney general to summon persons to testify as to violations of the law.

Boys Fight for Sweethearts

St. Louis, Mo., May 13.-[Special Telegram to THE BEE. |- It is just learned that four young boys who quarreled over girls last. week fought out their trouble Sunday after-noon, Marquis of Queensbury rules. Clay Coleman, aged sixteen, fought Roy Herzog, aged seventeen, and Claude Martin and Harry Powell, aged fifteen each, battled. The referree was Ray Destaeblar, aged lifteen, and Bon Eitzma, aged sixteen, was the time. and Bob Fitzroy, aged sixteen, was the time keeper. Coleman was knocked out in the seventh round and was hadly used up. Young Powell was finished in the sixth and is now confined to his bed by reason of the pummel-ing he received. The physicians say he was

BONDSMEN IN THE LURCH.

J. N. Shoemaker, a Lincoln Contractor, Steals Silently Away.

THE ELMWOOD ELEVATOR CASE.

A Decision in Favor of the Citizens-Agitating the Nine Hour Question-Musee Manager Lawler Discharged.

Lincoln, Neb., May 13 .- [Special to THE BEE.]-Last year J. N. Shoemaker, who had the contract for building the new engine house for the insane asylum here, bought 227,000 brick at \$10 per thousand. After getting his money for building the structure Shoemaker paid for only a portion of the brick and gave John Fitzgerald, the owner of the Lincoln brick and tile works, an order or the board of public works for the rest. He then left for unknown parts. When Fitzgerald presented the order to the board he discovered that there wasn't a dollar coming to Shoemaker. He therefore commenced suit against Thomas Price and the other bonds men who went Shoemaker's security. The The ase was given a hearing by Judge Stewart today.

THE ELMWOOD ELEVATOR CASE, This afternoon the supreme court handed lown an opinion in the Elmwood elevator ase, granting the mandamus prayed for by he Elmwood citizens.

This is the case in which the Farmers' al-iance at Elmwood desired room on the Misouri Pacific railway's right-of-way for an The railway company decouest. The case was taken before the state poard of transportation for settlement, and the board decided in favor of the aliiance and ssued an order to the company to allow the diance a place for the proposed elevator. The company failed to obey this order and Attorney General Leese applied to the su-preme court in behalf of the board for a writ f mandamus to compel the company to comwith the order of the board. The findings f the board in brief were:

That the road has all its side tracks within the limits of its right-of-way and depot grounds at said station; that the two eleva-tors at that point are insufficient to handle the grain shipped, and that the owners and operators of the same have entered into a combine to fix the price of grain and prevent competition; that the convenience of the peo at that point; that the road has permitted the other two elevators to be created upon its grounds and has refused the same privilege to the complainant, an unjust discrimination that there is room upon the grounds of the ompany for another elevator.

This decision settles the question of the power of the board of transportation over this class of cases, and establishes the rights of people to erect elevators at the company's sta tions and to be accorded equal shipping facili ties with all other persons. THE NINE-HOUR QUESTION.

The carpenters of the city held an enthusiastic meeting at Union Labor hall last even-ing. There was a large attendance, both of union and non-union men, and the nine-hour question was thoroughly and impartially discussed. Mr. T. B. Doran was chosen man. Speeches were made by Mr. J. W. Emesson, president of the local union, and Messrs, Kent, Kerns, Mason and others, At the close of the deliberation a unanimous vote was taken favoring the adoption of the ninehour system without any forcible means. Several non-union men joined the union. SESSION OF THE CITY COUNCIL

At the regular meeting of the city council ist evening the Standard street rallway was lowed to lay a track on P street from I welfth to the east line of Eleventh. South I welfth street was ordered to be graded to a width of not over forty-four feet between I

The street commissioner's report showed \$501.35 expended during the week for im-The report of the gas inspector showed

that an inferior quality of gas is being fur-nished, and the inspector and lighting comnittee were instructed to take steps to see that better gas is furnished and to prevent the gas company from blowing the gas ugh the jets at such a speed as to cause The pending labor ordinance favoring nine

hours for a day's work for all employes on public works was referred by the judicary ommittee to the city attorney.

The mayor was authorized to lease such

grounds as are necessary for the Rice pumping station in East Lincoln.

A resolution was passed setting aside \$10,000 of the water fund for the purpose of making extensions to the particle. naking extensions to the water mains A revised health ordinance was introduced This provides that all cases of smallpox, scarlet fever, diphtheria, erysipelas, cholera and membranous croup must be reported by

physicians within six hours after the discov ery of the same. IT WILL BE OPEN SUNDAYS. Mr. Lawler, the manager of the Eden Musee, was tried in the police court yester-day on the charge of running a place of amusement on the Sabbath day. Mr. Lawler admitted he had done so, but declared that a portion of every Sunday's receipts were given to the poor of the city, and several witnesses corroborated this testimony. As the Musee was therefore run partially for benevolent purposes, Judge Houston did not be-lieve it wise to order it closed. He therefore

pronounced Mr. Lawler not guilty and reeased him from custody. HIS WIFE OWNS THE PROPERTY. A year ago it was supposed that Mr. C. C. Kenney, with his splendid drug store and real estate, was worth \$25,000, but when Sanborn S. Hewes obtained a judgment for \$753 against him and the sheriff attempted to collect the same, it was discovered that he was penniless and all his supposed riches were owned by his wife. On examining the rec-ords, Hewes claims that he has discovered that Kenney has been guilty of fraud. He claims that the defendant really owned all this property at the time the judgment against him was obtained and that he deeded it all to his brother, Blitz F. Kenney for a fictitious \$20,000; that Blitz in turn deeded it to Mrs. Carrie H. Kenney, the wife of C. C. Kenney, Hewes declares that the whole transaction was a scheme to defraud him out of the money due him. He therefore asks Judge Field to declare the conveyance of the property null and void and to order the sale of the property to satisfy the judgment held by Hewes

against it. BOTH CLAIM THE HOUSE. J. Morrison and J. H. McMurtrie both claim the ownership of the same house, and the result is a suit in the district court. Morrison says that he bought the building and the lot upon which it stands from Mr. Mc-Clure, and shows papers to prove the same-But McMurtrie, who is a well known real estate dealer, also flourishes a deed to the house, which he got from Mrs. Kingman, McClure's mother. McMurtrie seems to have the inside track, as he has possession of the place, and Morrison has caused to be is-sued a writ of replevin to gain possession. Judge Chapman has the case under advis-

SENT THE JURY BACK. The jury who tried Milo Hodgkins and Frank Trumbull for disturbing a religious meeting at Roca by throwing beer kegs through the window, brought in a verdict of "gullty as accessory before the act." The at-torneys for the prisoners claimed that this was equivalent to a discharge. The judge, however, read the jury a lesson on English expression and sent the jury back into their room to construct a more intelligible verdict. They afterwards returned with a verdict of 'guilty as charged in the indictment." ence was reserved. TRYING TO ESCAPE THE PEN.

William Rutherford, who a few weeks ago was sentenced to the penitentiary for twelve years for the crime of incendiarism, has appealed the case to the supreme court, and al-leges that the verdict is not in accordance with the testimony of the prosecuting witnesses. He also alleges errors in the pro-ceedings of the lower court. The house to which he is said to have set fire was valued

DOESN'T WANT TO PAT THE DAMAGES. A short time since John C. Phillips of St Paul sucd the Lincoln & Black Hills railroad company for damages accruing to him through that corporation building a track and elevator near his residence, and was awarded \$300 damages. The attorney for the railroad damages. The attorney for the railroad thinks that amount too much, and has appealed it to the supreme court, the papers being filed this morning.

mitted to

THE SUPREME COURTS

of the Paxton hotel yesterday is the part The proceedings of the supreme court today of a Rocky mountain hunter. He stands rere as follows:

J. W. Cole, esq., of Culbertson was admitted to practice. Cond vs Home Cattle empany. Defendant allowed to prosecute with one foot on a bear recently killed and bleeding from the mouth. Beside the beneis the body of a mountain lion shot between company. Defendant allowed to prosecute appeal. Carry vs Fremont. Submission vacated with leave to J. D. Bell to intervene. Chicago, Burlington & Quincy railroad company vs Berry. Dismissed. State ex rel the S. D. Hitchcock company vs Cornutt. Conthe eyes. The left hand of the hunter ports his rifle with the butt of the piece p ing on the ground. His right hand supports a staff, from which floats the banner of most gracious majesty, Rex II, of Op-The following cases were argued and sub-Utah. Beneath is an edict issued by ardies the king from the palace of the carrie Mardi Gras, 1890, to all his loyal subjects.

mitted: Prior vs Hunter; Tuobs vs McIntosh; Olds Wagon works vs Benedict, on motion; Oppenheimer vs Marr, on motion.
Attorneys are notified that the foot of the this edict Rex announces the establigeneral docket will be called Tuesday, May of a new departure, to be known as the ki dom of the west, with the capital city at the den, Utah. The edict fixes July 1 to hand for a royal carnival.

The fight over the county seat matter in Red Willow county has finally found its way into the suppome court. Justin A. Wilcox acts as plaintiff and the suit is brought against Henry Crabtree, Isaiah Bennett and S when Balles, the county commissioners of

TOO RICH FOR THEIR BLOOD. Army Officers' Quarters Which Will

Cost a Fortune to Furnish. Chicago, Ill., May 13.—[Special Telegram to THE BEE. |- The insatiable ambition of the average Chicago congressman for exorbitant appropriations from the national treasury for public improvements, in order that his fealty to the city's interests may be demonstrated, is beginning to bear fruit.

"Army officers know pretty generally when they are well off," said Captain Penuy, one of the senior officers stationed at Fort Sheridan, today, "and just now every officer in the garrison here is trusting to a kind providence to get him away from this fort before the new officers' quarters are finished. The government is erecting a lot of residences for the officers," said he, "on a scale; of grandeur far beyond what they have been acustomed to and in the nature of things far will take a whole year's pay to furnish one of the new houses so that it will not look bare. Then suppose that an officer is willing to spend a year's salary in that way. Just a hable as not be will be ordered to New Mexico or Wyoming at twenty-four hours' notice and as the government only allows a captain 1,000 pounds of baggage he must either leave al' of his fine things behind him or sell them for whatever he can get. The United States officers all generally agree that the quarters assigned them are so fine that in order to preserve the laws of symmetry and harmony they will have to spend too much mone fitting up these quarters. If they wer tures it would be altogether different, ubject as they are to removal to a distant subject as they are to removal to a distant part of the country, practically without no-tice, it will be a hardship if they are com-pelled to pay for the style, which their Uncle Sam wants and which Chicago society naturally expects.

PASTOR WHITMAN ON TOP.

His Friends Succeed in Suspending the Opposition from the Church.

Journ, Ill., May 13 .- [Special Telegram to THE BEE. |-The trouble over Pastor Whitman caused another disgraceful scene in the Baptist church last night. A meeting was held, and some of Whitman's opponents brought up the old trouble by a resolution reciting anew the charges against him and demanding that they be submitted to a committee of ministers and laymen. The fact was speedily developed, however, much to their discomfiture, that the number of Whitman's adherents had been greatly enlarged since the last meeting, and the resolutions were voted down with alarming rapidity This greatly displeased the minority and pan lemonium ensued. One of their number asserted that the count of the votes - had not been straight and some of the majority "Put him out." Rev. Mr Whitman finally secured order.

and read from Charlottetown a letter contra dicting some of the stories that had been told about him. Then the majority offered a pre amble and resolution suspending from the church some of the more active opponents of the paster. After a most unchristian, not to say disgraceful, controversy, the resolutions were adopted, whereupon two young ladies arose and screamed that they wanted to be removed, too. The names of those who were suspended are among the most prominent in the church. It was the verdict of the majornat all opponents of Whitman must ended and that the scandal never alluded to again. The situation is most dis couraging. Both the opponents and adher-ents of Whitman include some of the best families in the city, and each side insists the other side is wrong. The prospects for a new church are good.

THE CHICAGO ANARCHISTS: Ben Butler Thinks the Imprisoned

Men Will Be Released.

CHICAGO, May 13 .- In a short time an effort will be made to secure the release from the penitentiary of the convicted anarchists, Fielden, Schwab and Neebe, by an application to Judge Gresham of the circuit court for a writ of habeas corpus or the ground that the prisoners are detained without due process of law. No less authority than Benjamin F. Butler says that the effort will, almost beyond doubt, be success ful, his opinion being based on the expressions of the United States supreme court in the pro ceedings heretofore brought before that body General Butler is regularly retained as associate counsel in the case. The anarchists lawyer says the writ of habeas corpus will be asked for on the ground that after the sentence of death was passed upon the con-demned men and Neebe was doomed to spend fifteen years in the penitentiary, the case was appealed to the supreme court, where the finding of the lower court with the sentence of death for Spies, Parsons, I have Blesheau France of death for Spies, Parsons, Lingg, Fischer, Engel, Schwab and Fielden was affirmed. The priseners were not taken before the supreme court to hear this affirmation court to hear this affirmation of their sentences and their lawyers were not even notified to be present. The claim was made that this was a breach of their constitu tional rights, and that the constitution even went so far as to say a sentence of death ren-dered in the absence of the prisoners was not

THE SEAL FISHERIES. It is Said the Dispute with England

due process of law.

the controversy is assured.

Has Been Settled. New York, May 13 .- The Ottawa correspondent of the Herald telegraphs as follows The Behring sea negotiation, I am credibly informed, has reached its final stage, mere technicalities and practical details. While it will be impossible to formu late and publish the intended international convention for the regulation of fur seal fishery in the north Pacific ocean and the waters adjacent during the present season, the American and British negotiators have agreed upon the mode by which neces sary and proper regulations shall be framed so that a full and satisfactory adjustment o

Big Auction of Flannels.

NEW YORK, May 13 .- Special Telegram to THE BEE. |- Townsend & Moutant, auc tioneers, today held a trade sale of flannels by order of Messrs, Leland, Whitney & Co. 1,200 cases of damon, white and shaker flan nels and dowett. The bidding was lively and prices fair. Among the buyers present were the W. B. Grimes dry goods company, Kan-sas City, Kilpateick, Koch & Co., Omaha, and C. W. & E. Partridge, Chicago.

Dakota A. O. U. W.

Hunox, S. D., May 13.—|Special Telegram to Tun Bun.]—The grand lodge of the North and South Dakota A. O. U. W., in session here today, was attended by 120 delegates, representing sixty-seven lodges with a total membership of over 2,000. Grand Master Houtz of Blunt presided. It was voted to night to hold the next grand lodge meeting in

Suicided on the Train.

Kansas City, May 13 .- William E. Crane, lawyer of Albuquerque, N. M., on his way to Chicago this morning, suicided by shooting himself while laboring under a temporary fit of insanity. He was a member of the Grand Army of the Republic and leaves a wife and IN THE ROTUNDA

On a handsome poster hung in the rounds

Two leading citizens of Ogden, W. H. H.

retary of the chamber of commerce, who

vey, a capitalist, and A. L. Richardson,

wear the titles respectively of Buckings.

Lord High Chanceltor, and Montana, Charles

celler of the Rolls to His Majesty Rex II.

at the Paxton attending the meeting of

general passenger agents of the Trans M

rotunda talker learned that the Rex organica

tion of New Orleans, whose fame has a

tended throughout the world, sent a comm

tee into the west to select a royal capital v

a view to making a separate kingdom of in

west. This social, business and domination

organization of New Orleans desired to plan

the royal colors-purple, green and gold-

some beautiful city of the west amid the i.

mantle scenes of the Rocky mountains. The

committee chosen to perform this important

mission selected Ogden, 'Utah, as the roull

Great preparations are being made in New

Orleans for this event, that will bring to

gether the beauty and chivalry of the soul

and the people of the west at Ogden under

the shadow of the Wasatch mountain and

There will arrive in Ogden July 1 the roy.

train from New Orleans, bearing both Rex I

kings, own royal guards and other dis-

tinguished officials of the two royal house

the Louisiana rifles, Washington artilliery

Rex II, will ascend the throne at Ogio-

amid pomp and splendor, and one of

the greatest social events of modern

times will have begun. The carelyn-

palace now being built at Ogden

to be completed June 20, will have a dancing

floor that will accommodate 1,000 couples and

seat 10,000 spectators. On July 2 the royal

tournament will take place. This will be an

exact reproduction of the famous tournament

in Ivanhoe, with the difference that the

knights will tilt at a ring instead of at each

other. At night will follow the tournamen-

ball in the carnival palace, when the victor

ious knight will crown the queen of the tour

nament. July 3 will be devoted to competitive

music and drills, followed by a military ball in

the evening. On July 4, the natal day of the

nation, there will be a grand review of the

military and presentation of prizes. At night

the grand spectacular street porade, similar

to that of New Orleans, with many western

of Ogden, and following this will come the

The Rex organization of the west will be

permanent, with a carnival every year a

Ogden. It is a secret organization, and at

the present time numbers 500 men. Any

respectable contleman in the west is eligible

to membership. The Ogden people are pre-

paring to entertain 50,000 guests during the

carnival. The leading citizens will throw

open their homes to the visitors, and all Pull

man and tourist cars arriving there will be

sidetracked and used as sleeping quarters

The two distinguished servants of his ma-

jesty say that everything now indicates that

respect, and that they have received positive

assurances that many thousand visitors from

the south and east will be present. The at-

tendance from the Rocky mountain region

he carnival will be a huge success

will undoubtedly be enormous.

grand Rex masked ball. The carnival will

close on Saturday.

features added, will pour through the streets

and Major Walmsley's battalion of Now O

holds. This train will also have on board 4

and Rex II., with their beautiful q

on the shores of the great salt lake.

kingdom of the west.

souri association. From these gentleme, the

Great Rock Island Route. 1602, Sixteenth and Farnam is the new location of the Chicago, Rock Island & Pacific Ry. ticket offices.

AMUSEMENTS.

Boyd's Opera House

Tuesday and Wednesday, May 13 and 14. LAST PERFORMANCES OF

EFFIE ELLSLER

"EGYPT." To-morrow Afternoon, at 2: "THE GOVERNESS." fo-morrow Evening at 8:15-"EGYPT."

MATINEE..... Dime Eden Musee. CHE-MAH,



THE CHINESE DWARF Age 31 years, weight 29 pounds, height 27 inches.

ZANFRETTA PANTOMIME CO. In "The Brigands." One dime admits to all. . Two great stage shows

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Paid in Capitai. \$ 50,000
Subscribed and Guaranteed Capital ... 100,000
Liability of Stockholders 200,000
E. Per Cent Interest Paid on Deposits.

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Loans in any amount made on City and Farm

Property, and on Collateral Security, at Loweat rates currons.

est rates current.